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December 13, 2021

BY E.C.F.

Honorable J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Jesus Miguel Matos*, Docket No. 18 Cr. 327 (JPO)

Dear Judge Oetken:

The above referenced matter is presently scheduled for sentencing on Tuesday, December 21, 2021 at 2:30 p.m. However, as a result of compelling circumstances, this letter motion is submitted to request a final continuance of sentencing of 30 days, to a date in mid-January 2022, which is convenient with the court.

Counsel is aware of the Court's Memo Endorsement, dated October 19, 2021, which states that "[t]he Court does not anticipate granting further extensions absent compelling circumstances," however, counsel believes the circumstances which form the basis of this letter motion are, indeed, compelling. Specifically, my Associate of more than 20 years recently suffered sudden and severe vision loss and distortion of his central field of vision due to Wet AMD, a disease of the retina. He has undergone tests and scans, which have confirmed a significant occurrence of Wet AMD, and he is presently being treated with retinal injections by a retinal surgeon at NYP Weill Cornell Medical Center.

My Associate and I have practiced law together, side by side, for more than 20 years, working jointly on most cases, including this matter. As a result of this incredibly unfortunate medical circumstance, I am left with a temporary void in my practice, as everything has fallen upon me to get done by myself, against the backdrop of a profound Covid-19 related backlog of cases.¹ As a result, defense counsel requires an additional 30 days to submit Jesus Matos' sentencing recommendation to the court.

¹ Just within the past few weeks, alone, defense counsel has twice been sent out to trial parts for jury selection in two separate Criminal Court matters - - one in Brooklyn, the other in the Bronx. (Although neither case proceeded to trial on their respective dates, counsel was required to fully prepare for both trial matters and be ready to select a jury.) Moreover, during the same time period, counsel was also required to make two urgent trips to Philadelphia as part of my duties as Resource Counsel in a federal death penalty case pending in the United States District Court for the Eastern District of Pennsylvania.

Simply put, we are doing the best that we can, but as a result of the foregoing unforeseen circumstances, defense counsel requests that the court continue the sentencing of Jesus Miguel Matos, for an in-court sentencing, to a date in mid-January, which is convenient with the court.

The government opposes defense counsel's motion for one final adjournment of sentencing in this matter.

Thank you for your Honor's consideration of this application. If there are any questions, or if additional information is required, please contact me at your Honor's convenience.

Respectfully,

Anthony L. Ricco

Anthony L. Ricco

ALR/jh

cc: A.U.S.A. Nicolas Roos (By E.C.F.)
A.U.S.A. Juliana Murray (By E.C.F.)

Granted. Sentencing is hereby adjourned to January 28, 2022, at 12:00 pm. Defendant's sentencing submission is due by January 14, 2022, and the government's submission is due by January 21, 2022.
So ordered.
12/14/2021


J. PAUL OETKEN
United States District Judge